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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: D.L. Beasley et al. Attorney Docket No: APXP111461
Serial No: 08/969,723 Group Art Unit: 2317
Filed: November 12, 1997 Examiner: D. Dinh
Title: CIRCUIT FOR PRODUCING OVERLAID VIDEO SIGNALS

TERMINAL DISCLAIMER TO OBVIATE AN OBVIOUSNESS TYPE DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Your petitioner, Apex PC Solutions, Inc., residing at 20031 142nd Avenue Northeast, Woodinville, WA 98072, represents that it is owner of the entire interest in the above application by virtue of an assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the U.S. Patent and Trademark Office at Reel 7790, Frame 0312.

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior U.S. Patent No. 5,721,842, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent No. 5,721,842, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of prior U.S. Patent No. 5,721,842 in the event that said prior U.S. Patent No. 5,721,842 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all

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1 claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the
2 expiration of its full statutory term as presently shortened by any terminal disclaimer.

3 For submissions on behalf of an organization (e.g., corporation, partnership, university,
4 government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on
5 behalf of the organization.

6 Terminal disclaimer fee under 37 C.F.R. § 1.20 is included.

7 I hereby declare that all statements made herein of my own knowledge are true and that all
8 statements made on information and belief are believed to be true; and further that these statements
9 were made with the knowledge that willful false statements and the like so made are punishable by
10 fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that
11 such willful false statements may jeopardize the validity of the application or any patent issued
12 thereon.

13 APEX PC SOLUTIONS, INC.

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15 10/21/98
16 Date

By: Samuel F. Saracino

Name: Samuel F. Saracino

Title: General Counsel and Corporate Secretary

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